

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

In re: KAPLAN, PAUL LEWIS
KAPLAN, BARBARA JAN

§ Case No. 3:12-05408-JAF

§

§

Debtor(s)

§

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on August 16, 2012. The undersigned trustee was appointed on August 17, 2012.
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.
4. The trustee realized the gross receipts of \$ 154,617.00

Funds were disbursed in the following amounts:

Payments made under an interim distribution	<u>0.00</u>
Administrative expenses	<u>0.00</u>
Bank service fees	<u>1,482.85</u>
Other payments to creditors	<u>0.00</u>
Non-estate funds paid to 3rd Parties	<u>0.00</u>
Exemptions paid to the debtor	<u>0.00</u>
Other payments to the debtor	<u>0.00</u>
Leaving a balance on hand of ¹	<u>\$ 153,134.15</u>

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

6. The deadline for filing non-governmental claims in this case was 05/31/2013 and the deadline for filing governmental claims was 02/12/2013. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$10,980.85. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$10,980.85, for a total compensation of \$10,980.85.² In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$381.74, for total expenses of \$381.74.²

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 11/25/2013 By: /s/ALEXANDER G. SMITH

Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

² If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D)

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 3:12-05408-JAF

Trustee: (290740) ALEXANDER G. SMITH

Case Name: KAPLAN, PAUL LEWIS
KAPLAN, BARBARA JAN

Filed (f) or Converted (c): 08/16/12 (f)

§341(a) Meeting Date: 09/18/12

Period Ending: 11/21/13

Claims Bar Date: 05/31/13

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property <u>Abandoned</u> OA=\$554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 2012 TAX REFUND (u)	0.00	4,617.00		4,617.00	FA
2 8 PRARIE LANE, PALM COAST, FL 32164	130,000.00	0.00		0.00	FA
3 CHECKING & SAVINGS	150.00	0.00		0.00	FA
4 HOUSEHOLD GOODS	3,125.00	0.00		0.00	FA
5 BOOKS & DECORATIONS	300.00	0.00		0.00	FA
6 CLOTHING	500.00	0.00		0.00	FA
7 JEWELRY	800.00	0.00		0.00	FA
8 2009 CHEVY IMPALA; 2011 FORD F150; 2005 HARLEY ALSO, 2 EACH 4WHEELERS POLARIS	50,590.00	0.00	OA	0.00	FA
9 TRIN TRAN TRAILER	600.00	0.00		0.00	FA
10 PI CLAIM - AUTO ACCIDENT ** (u)	150,000.00	150,000.00		150,000.00	FA
11 PER SOFA ATTORNEY - AUTO ACCIDENT	0.00	0.00		0.00	FA
11 Assets Totals (Excluding unknown values)	\$336,065.00	\$154,617.00		\$154,617.00	\$0.00

Major Activities Affecting Case Closing:

P.I. LAWSUIT - PAID 4/12/13

2012 TAX REFUND - PAID 3/15/13

CLAIMS: DONE 9/13

9/12/13 Order Sustaining Objection to Claim(s) #17, 7/11/13 Obj/Claim 17 filed and mailed; 8/26/13 Certificate of Mailing filed; 8/22/13 Order to Employ Steve Vanderwilt CPA; 7/11/13 Application to Employ Steve Vanderwilt CPA; 5/30/13 Order Granting Motion to Approve Compromise filed; 5/25/13 Motion to Approve Compromise filed; 4/25/13 NOAb mailed & filed; 4/10/13 Notice of Intent to Compromise filed and mailed; 3/5/13 Order to Employ Jason Miller, Special Attorney; 3/04/13 Application to Employ Jason Miller, Esq. with Morgan & Morgan, P.A.; 2/21/13 Letter to debtors 2012 TXR refund; 1/18/13 Order to Employ AGS: 01/15/13 Application to Employ AGS Attorney for Trustee

Initial Projected Date Of Final Report (TFR): March 4, 2014

Current Projected Date Of Final Report (TFR): November 30, 2013

Form 2

Cash Receipts And Disbursements Record

Case Number: 3:12-05408-JAF
Case Name: KAPLAN, PAUL LEWIS
 KAPLAN, BARBARA JAN
Taxpayer ID #: **-***8704
Period Ending: 11/21/13

Trustee: ALEXANDER G. SMITH (290740)
Bank Name: Rabobank, N.A.
Account: *****8066 - Checking Account
Blanket Bond: \$1,000,000.00 (per case limit)
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
03/15/13	{1}	DEBTOR(S)	Repayment of 2012 Tax Refund	1224-000	4,617.00		4,617.00
03/29/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	4,607.00
04/12/13	{10}	MORGAN & MORGAN TRUST ACCOUNT	PI Lawsuit Settlement	1242-000	100,000.00		104,607.00
04/12/13	{10}	MORGAN & MORGAN TRUST ACCOUNT	PI CLAIM lawsuit settlement	1242-000	50,000.00		154,607.00
04/30/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		114.94	154,492.06
05/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		229.62	154,262.44
06/28/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		207.09	154,055.35
07/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		243.74	153,811.61
08/30/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		221.23	153,590.38
09/30/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		213.55	153,376.83
10/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		242.68	153,134.15

ACCOUNT TOTALS	154,617.00	1,482.85	\$153,134.15
Less: Bank Transfers	0.00	0.00	
Subtotal	154,617.00	1,482.85	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$154,617.00	\$1,482.85	

Net Receipts :	154,617.00
Net Estate :	\$154,617.00

	Net Receipts	Net Disbursements	Account Balances
TOTAL - ALL ACCOUNTS			
Checking # *****8066	154,617.00	1,482.85	153,134.15
	\$154,617.00	\$1,482.85	\$153,134.15

EXHIBIT C **ANALYSIS OF CLAIMS REGISTER**

Claims Bar Date: May 31, 2013

Case Number: 3:12-05408-JAF
Debtor Name: KAPLAN, PAUL LEWIS

Page: 1

Date: November 21, 2013
Time: 04:17:11 PM

Claim #	Creditor Name & Address	Claim Type	Claim Ref. No. / Notes	Amount Allowed	Paid to Date	Claim Balance
200	ALEXANDER G. SMITH FLA BAR #140323 2601 UNIVERSITY BLVD., WEST JACKSONVILLE, FL 32217	Admin Ch. 7		\$10,980.85	\$0.00	10,980.85
200	ALEXANDER G. SMITH FLA BAR #140323 2601 UNIVERSITY BLVD., WEST JACKSONVILLE, FL 32217	Admin Ch. 7		\$381.74	\$0.00	381.74
200	JASON S. MILLER MORGAN & MORGAN PA 76 SOUTH LAURA STREET STE 1100 JACKSONVILLE, FL 32202	Admin Ch. 7		\$60,000.00	\$0.00	60,000.00
200	JASON S. MILLER MORGAN & MORGAN PA 76 SOUTH LAURA STREET STE 1100 JACKSONVILLE, FL 32202	Admin Ch. 7		\$3,834.09	\$0.00	3,834.09
200	STEVEN M. VANDERWILT 9940 HOOD ROAD JACKSONVILLE, FL 32257	Admin Ch. 7		\$464.50	\$0.00	464.50
200	STEVEN M. VANDERWILT 9940 HOOD ROAD JACKSONVILLE, FL 32257	Admin Ch. 7		\$24.50	\$0.00	24.50
1 610	American InfoSource LP as agent for TD Bank, USA PO Box 248866 Oklahoma City, OK 73124	Unsecured	9390 PO Box 248866 Oklahoma City, OK 73124 -----* * *	\$405.24	\$0.00	405.24
2 610	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured	7741 PO Box 71083 Charlotte, NC 282721083 -----* * *	\$4,037.13	\$0.00	4,037.13
3 610	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured	9123 PO Box 71083 Charlotte, NC 282721083 -----* * *	\$1,355.63	\$0.00	1,355.63
4 610	Sallie Mae c/o Sallie Mae Inc. 220 Lasley Ave. Wilkes-Barre, PA 18706	Unsecured	3351 c/o Sallie Mae Inc. 220 Lasley Ave. Wilkes-Barre, PA 18706 -----* * *	\$5,827.78	\$0.00	5,827.78

EXHIBIT C **ANALYSIS OF CLAIMS REGISTER**

Claims Bar Date: May 31, 2013

Case Number: 3:12-05408-JAF
Debtor Name: KAPLAN, PAUL LEWIS

Page: 2

Date: November 21, 2013
Time: 04:17:11 PM

Claim #	Creditor Name & Address	Claim Type	Claim Ref. No. / Notes	Amount Allowed	Paid to Date	Claim Balance
5 610	Sallie Mae Inc, On Behalf of The Department of Education DOE,P.O. Box 740351 Atlanta, GA 30374-0351	Unsecured	3351 Department of Education DOE,P.O. Box 740351 Atlanta, GA 303740351 -----* * *	\$5,967.58	\$0.00	5,967.58
6 610	Medical Partners of Jacksonville, LLC 1564 Kingsley Ave, Ste 101 Orange Park, FL 32073	Unsecured	3351 1564 Kingsley Ave, Ste 101 Orange Park, FL 32073 -----* * *	\$11,414.13	\$0.00	11,414.13
7 610	eCAST Settlement Corp,Assignee of Capital One, N.A Bass & Associates, P.C. 3936 E. Ft. Lowell Road, Suite #200 Tucson, AZ 85712	Unsecured	3737 Bass & Associates, P.C. 3936 E. Ft. Lowell Road, Suite #200 Tucson, AZ 85712 -----* * *	\$5,152.31	\$0.00	5,152.31
8 610	Capital One, N.A. c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701	Unsecured	9415 c o Becket and Lee LLP POB 3001 Malvern, PA 193550701 -----* * *	\$345.30	\$0.00	345.30
9 610	Dell Financial Services, LLC Resurgent Capital Services PO Box 10390 Greenville, SC 29603-0390	Unsecured	0482 Resurgent Capital Services PO Box 10390 Greenville, SC 296030390 -----* * *	\$2,086.70	\$0.00	2,086.70
10 610	Capital Recovery V, LLC c/o Recovery Management Systems Corporat 25 SE 2nd Avenue Suite 1120 Miami, FL 33131-1605	Unsecured	8217 c/o Recovery Management Systems Corporat 25 SE 2nd Avenue Suite 1120 Miami, FL 331311605 -----* * *	\$1,309.88	\$0.00	1,309.88
11 610	Capital Recovery V, LLC c/o Recovery Management Systems Corporat 25 SE 2nd Avenue Suite 1120 Miami, FL 33131-1605	Unsecured	9777 c/o Recovery Management Systems Corporat 25 SE 2nd Avenue Suite 1120 Miami, FL 331311605 -----* * *	\$3,273.71	\$0.00	3,273.71

EXHIBIT C **ANALYSIS OF CLAIMS REGISTER**

Claims Bar Date: May 31, 2013

Case Number: 3:12-05408-JAF
Debtor Name: KAPLAN, PAUL LEWIS

Page: 3

Date: November 21, 2013
Time: 04:17:11 PM

Claim #	Creditor Name & Address	Claim Type	Claim Ref. No. / Notes	Amount Allowed	Paid to Date	Claim Balance
12 610	Capital Recovery V, LLC c/o Recovery Management Systems Corporat 25 SE 2nd Avenue Suite 1120 Miami, FL 33131-1605	Unsecured	2368 c/o Recovery Management Systems Corporat 25 SE 2nd Avenue Suite 1120 Miami, FL 331311605 -----* * *	\$1,467.77	\$0.00	1,467.77
13 610	Healthcare Recoveries PO Box 36380 Louisville, KY 40233	Unsecured	3351 PO Box 36380 Louisville, KY 40233 -----* * *	\$21,382.71	\$0.00	21,382.71
14 610	MERRICK BANK Resurgent Capital Services PO Box 10368 Greenville, SC 29603-0368	Unsecured	5947 Resurgent Capital Services PO Box 10368 Greenville, SC 296030368 -----* * *	\$3,721.97	\$0.00	3,721.97
15 610	Portfolio Recovery Associates, LLC POB 41067 Norfolk, VA 23541	Unsecured	4570 POB 41067 Norfolk, VA 23541 -----* * *	\$612.67	\$0.00	612.67
16 610	Portfolio Recovery Associates, LLC POB 41067 Norfolk, VA 23541	Unsecured	7301 POB 41067 Norfolk, VA 23541 -----* * *	\$2,843.21	\$0.00	2,843.21
17 610	Roy Carlisi Carlisi Chiropractic Center, Inc. 1400 East Moody Blvd., Bunnell, FL 32110 Bunnell, FL 32110-5916	Unsecured	Objection to Claim filed. Claim 17 allowed as general unsecured in the amount of \$26,464.00	\$26,464.00	\$0.00	26,464.00
<< Totals >>				173,353.40	0.00	173,353.40

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 3:12-05408-JAF

Case Name: KAPLAN, PAUL LEWIS

Trustee Name: ALEXANDER G. SMITH

Balance on hand: \$ 153,134.15

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None					

Total to be paid to secured creditors: \$ 0.00Remaining balance: \$ 153,134.15

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee, Fees - ALEXANDER G. SMITH	10,980.85	0.00	10,980.85
Trustee, Expenses - ALEXANDER G. SMITH	381.74	0.00	381.74
Attorney for Trustee, Fees - JASON S. MILLER	60,000.00	0.00	60,000.00
Attorney for Trustee, Expenses - JASON S. MILLER	3,834.09	0.00	3,834.09
Accountant for Trustee, Fees - STEVEN M. VANDERWILT	464.50	0.00	464.50
Other Fees: STEVEN M. VANDERWILT	24.50	0.00	24.50

Total to be paid for chapter 7 administration expenses: \$ 75,685.68Remaining balance: \$ 77,448.47

Applications for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
None			

Total to be paid for prior chapter administrative expenses: \$ 0.00Remaining balance: \$ 77,448.47

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				

Total to be paid for priority claims: \$ 0.00

Remaining balance: \$ 77,448.47

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 97,667.72 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full.

The timely allowed general (unsecured) dividend is anticipated to be 79.3 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1	American InfoSource LP as agent for TD Bank, USA	405.24	0.00	321.35
2	Capital One Bank (USA), N.A.	4,037.13	0.00	3,201.36
3	Capital One Bank (USA), N.A.	1,355.63	0.00	1,074.99
4	Sallie Mae	5,827.78	0.00	4,621.31
5	Sallie Mae Inc, On Behalf of The	5,967.58	0.00	4,732.17
6	Medical Partners of Jacksonville, LLC	11,414.13	0.00	9,051.17
7	eCAST Settlement Corp, Assignee of Capital One, N.A	5,152.31	0.00	4,085.67
8	Capital One, N.A.	345.30	0.00	273.82
9	Dell Financial Services, LLC	2,086.70	0.00	1,654.71
10	Capital Recovery V, LLC	1,309.88	0.00	1,038.71
11	Capital Recovery V, LLC	3,273.71	0.00	2,595.98
12	Capital Recovery V, LLC	1,467.77	0.00	1,163.91
13	Healthcare Recoveries	21,382.71	0.00	16,956.04
14	MERRICK BANK	3,721.97	0.00	2,951.44
15	Portfolio Recovery Associates, LLC	612.67	0.00	485.83
16	Portfolio Recovery Associates, LLC	2,843.21	0.00	2,254.61
17	Roy Carlisi	26,464.00	0.00	20,985.40

Total to be paid for timely general unsecured claims: \$ 77,448.47
 Remaining balance: \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				

Total to be paid for tardy general unsecured claims: \$ 0.00
 Remaining balance: \$ 0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				

Total to be paid for subordinated claims: \$ 0.00
 Remaining balance: \$ 0.00